

## CITY COUNCIL REPORT

Public

DATE:           October 30, 2015

TO:             Mayor and Councilmembers

FROM:          Walt Miller, Deputy Police Chief

CC:            Josh Copley, Jerene Watson, Barbara Goodrich& Leadership Team

SUBJECT:      Tequila Sunrise 2015

On October 25, 2015 the Flagstaff Police Department provided a high police presence in the downtown area and south side neighborhood during the annual Tequila Sunrise/ NAU Homecoming, which is an unsponsored event.

The police department has historically provided this high police presence due to the high volume of people who patronize the liquor establishments in the area, which open for business at 6 AM. The following liquor establishments in the downtown area were open for business; Collins, Monsoons, Maloney's, Dorados, Majerles Bar & Grill, McMillan Bar & Grill, State Bar, Rendezvous, The Green Room, Hotel Monte Vista and Hops on Birch. The following liquor establishments were open on the south side; Altitudes, Lumberyard, Southside Tavern and Whyld Ass.

In preparation for the event, a meeting was held on Thursday October 22<sup>nd</sup> at City Hall Council Chambers with bar owners and employees. The meeting was attended by twenty-eight (28) bar employees, representing fifteen (15) different businesses. Lt. Roberts facilitated the meeting and spoke on behalf of the police department. Agent Herb Carruthers from the Department of Liquor gave a presentation on liquor laws that included overserving patrons and serving to an obvious intoxicated person.

Jen Runge from NACASA gave a presentation on sexual assault awareness. Cynthia Anderson, Joanne Keene and Alyssa Deaver with Northern Arizona University administration were also present. Terry Madeksza from the Downtown Business Association spoke to the group in an effort to get individual businesses to help with the cost of portable toilets in the downtown area. Collins, Monsoons, Dorados and Hop on Birch all pitched in to pay for the portable toilets. A question and answer session was held at the end of the meeting.

On Saturday Lt. Roberts held a briefing for the Tequila Sunrise event at 5:30AM at the police department.

The officers were instructed to maintain a high profile presence in the aforementioned areas until relieved by Lt. Roberts. Officers were directed to maintain a "zero tolerance" enforcement policy in regards to assault and disorderly conduct violations. Officers were told that subjects who had consumed alcoholic beverages to the point of extreme intoxication should be treated as medical emergencies and medics should be summoned to treat and/or transport them to FMC.

Officers were assigned in teams of two. The event supervisors (Sergeants and Lieutenant) roved between the north side and south side of the railroad tracks. Assigned officers worked on bicycles or walked a beat in their assigned areas. Officers assigned south of the railroad tracks also conducted close patrols in the Fountain-Franklin corridor and the surrounding neighborhood areas. Officers were directed to conduct bar checks when possible.

By 6:00 AM Lt. Roberts observed that the intersection of Aspen and Leroux contained hundreds of people. Due to public safety concerns he closed the following streets; Aspen Ave. from Beaver to San Francisco and Leroux from Route 66 to Birch. Lt. Roberts had coordinated in advance with Rich Herne and Mike O'Connor at Public Works to assist with barricades should there be a need. Two employees from the streets department assisted us deploying the barricades at the above mentioned locations.

The streets remained closed until about 1:30 PM when the crowd had dissipated enough to allow traffic to flow without safety concerns. Officers moved the barricades from the roadway and the street department employees picked them up.

At about the same time officers assigned to the south side asked for additional resources to assist them with large numbers of pedestrians walking south. Officers later said that they were having a difficult time keeping the pedestrians out of the roadway and on the sidewalks.

Most of our enforcement action occurred on Saturday morning however on Friday night, October 23<sup>rd</sup> three Agents with the Arizona Department of Liquor Control and one FPD officer worked a plain clothes enforcement operation and made six (6) arrests for liquor violations. Five (5) arrests where for illegal consumption of alcohol and one (1) arrest was for soliciting another to purchase alcohol. The Arizona Department of Liquor Control also issued one (1) administrative violation to Monsoon's for accepting an unauthorized identification.

During the event on Saturday between 6 AM and approximately 3 PM, officers made an additional thirty-five (35) arrests. The following is a breakdown of the arrests that were made:

- 25 arrests for illegal/underage consumption
- 3 arrests for urinating in public
- 4 arrests for public consumption of alcohol
- 1 arrest for disorderly conduct-fighting
- 1 arrest for the use of a fake ID to purchase alcohol
- 1 arrest for the use of a fake ID to gain access to a liquor establishment

To recap, between Friday evening and Saturday afternoon, a total of forty-one (41) misdemeanor arrests were made and one (1) administrative violation was issued by the Arizona Department of Liquor Control to Monsoon's. There were no other actions, criminal or administrative against any bar or bar employees.

As noted there were three ADLC Agents who worked with officers. We have partnered with the ADLC in the past during this event, which helps with additional resources to address criminal behaviors. The ADLC is better versed to address administrative violations and they can take immediate action.

Outside of the downtown area but related to home coming festivities, officers also issued three (3) party response notices on Saturday. Two were issued in the Rio Homes area; 1534 S. Gavin & 1497 S. Ivy and the third was issued at 262 E. Franklin #2.

Officers were dispatched to the Rio Homes area at 6:47AM after a crime stop caller reported loud music and several people gathering in the street. As officers approached they observed several people in the street and in the front yard of a townhome. People began to run as they saw the officers approaching. They ran into two separate addresses. The individuals that were contacted said they had no idea who was responsible for hosting the party.

Officers were conducting a patrol of the Franklin corridor at about 8:30 AM when they saw several people in the court yard of the apartment complex located at 262 E. Franklin. They also heard loud music coming from apartment #2. When officers approached the courtyard several people ran into apartment #2 and others ran from the complex. No one would answer the door at apartment #2.

Additional staffing to handle this event was a total of twenty-two (22) sworn officers and one (1) additional dispatcher to handle radio traffic just for this event.

1-FPD Lieutenant  
 3-FPD Sergeants  
 2-FPD Corporals  
 11-FPD officers  
 2-DPS GITTEM officers  
 3-Officers from Department of Liquor Control

In order to work the event and not incur overtime the officers and supervisors rearranged their schedules during the week so they were working regular time.

The police department did not have any grant money to use for the event as GOHS has not opened up their funding for FY2016. We did however sustain 6.5 hours of overtime for five officers working the event to complete arrest reports at the end of their shift. We also paid 4 hours of overtime for the additional dispatcher.

The total cost of overtime for the officers, calculated at the burden rate was \$460.89.

The total cost of an additional dispatcher, calculated at the burden rate was \$226.99.

Total cost of overtime for the Police Department, calculated at burden rate was **\$687.88.**

I spoke with Rich Herne with Public Works. He assigned two employees with a truck, to assist in the deployment and pick up of the barricades. Rich said each employee worked six hours on Saturday morning.

The total cost of the two Streets employees, calculated at the burden rate was \$270.48.

The total cost of the equipment/truck utilized was an additional \$119.70.

Total cost of overtime for the Public Works Department, calculated at the burden rate was **\$390.18.**

Total cost to the city **\$1078.06**

As noted this is an unsponsored event therefore there is no cost sharing and we are unable to bill out overtime costs to an event promotor or sponsor. As a police department we do not endorse the event; however we cannot ignore the event as there is a valid public-safety concern. This is a community policing initiative which we strive to provide the best customer service and ensure the public safety of all of our citizens and visitors.

Regarding the business owner's perspective I did have a conversation with Terry Madeksza from the Downtown Business Association. She told me that there is a "mixed bag" of businesses, some that like the event and others that don't. That same sentiment was also documented in Daily Sun in an article published on Sunday November 1<sup>st</sup>.

Terry continued by telling me that if the event continues, it was her opinion that all of the stakeholders needed to be present at the table to discuss public safety, clean up from the event, portable toilets and transportation issues during and after the event.

Terry was very complimentary of Lt. Roberts and all of the officers working the event. She also commended Lt. Roberts for his leadership before, during and after the event.

City Attorney Michelle D'Andrea has already provided Arizona Revised Statute information the Mayor and Council regarding Title 4 liquor laws in response to Mayor Nabours' query on what the City can and cannot do regarding the event known as Tequila Sunrise.

#### RECOMMENDATION / CONCLUSION

This report is for information only.